

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Rio Tinto plc,

Plaintiff,

v.

Vale S.A., Benjamin Steinmetz, BSG
Resources Limited, VBG–Vale BSGR Limited
aka BSG Resources (Guinea) Ltd. aka
BSG Resources Guinée Ltd, BSG Resources
Guinée SARL aka BSG Resources (Guinea)
SARL aka VBG-Vale BSGR, Frederic Cilins,
Mamadie Touré, and Mahmoud Thiam,

Defendants.

Civil Action No. 14-cv-3042 (RMB) (AJP)

**DECLARATION OF ERIC C. LYTTLE
IN SUPPORT OF PLAINTIFF RIO TINTO PLC’S
OPPOSITION TO DEFENDANTS’ MOTION TO STAY DISCOVERY**

Pursuant to 28 U.S.C. § 1746, Eric C. Lyttle declares as follows:

1. I am a partner with the law firm Quinn Emanuel Urquhart & Sullivan LLP (“Quinn Emanuel”), counsel to Plaintiff Rio Tinto plc (“Rio Tinto”) in the above-captioned matter. I am admitted *pro hac vice* in this matter.

2. I submit this declaration in support of Plaintiff Rio Tinto’s Opposition to the Motion to Stay discovery filed by Defendants Vale S.A. (“Vale”), Benjamin Steinmetz, BSG Resources Limited, (“BSGR”), VBG Guinea, VBG-Vale (Guernsey), and Mahmoud Thiam (hereinafter, “Defendants”).¹

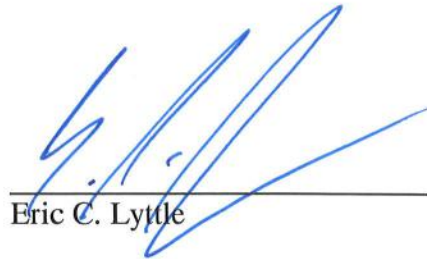
3. Attached to this declaration as Exhibits A-D are true and correct copies of the following documents:

¹ Although not all defendants in this action have joined in the motion for a stay, Rio Tinto refers to the moving defendants as “Defendants” for ease of reference.

- | <u>Ex.</u> | <u>Document</u> |
|------------|---|
| A | Defendants Steinmetz's and BSGR's Initial Disclosures dated July 23, 2014 |
| B | Minute Entry by Judge Berman, dated July 28, 2014. |
| C | Email from K. Sivashanker of Mischon to K. Forst of Quinn Emanuel, dated Oct. 9, 2014 |
| D | Letter from K. Sivashanker of Mischon to K. Forst of Quinn Emanuel, dated Oct. 14, 2014 |

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Washington, D.C.
October 20, 2014



Eric C. Lytle